

8-4980

24 JUL 1956

MEMORANDUM FOR: Legislative Counsel

SUBJECT: H.R. 11257, A Bill to Provide that Certain Compensation Payable to Certain Officers and Employees Reinstated or Restored to Duty by Administrative or Court Action Shall be Paid Out of Current Appropriations for the Department or Agency Concerned

1. Title 5, Section 624 of the United States Code provides an equitable means for the administration and judicial review of cases of individuals who have been removed without pay from the classified civil service of the United States. The measure at hand pertains to the means of payment of the claims of any person who has been reinstated or restored to duty following such a removal or suspension as effected by administrative actions or by reason of a judgement or other action of the Court of Claims.

2. H.R. 11257 is considered to be more properly a subject for comment by the Comptroller than the Office of Personnel. The bill establishes a correction to a funding problem created through a combination of the factors of the extinguishment of appropriated funds at the conclusion of a fiscal year and the prolongation of litigation through one fiscal year into the next. The result of such a situation is that in the event of a valid claim being established, there would be no funds available for its satisfaction.

3. No comment or recommendation of Agency position is deemed as appropriate inasmuch as the personnel aspects of subject bill are but incidental.

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Harrison G. Reynolds  
Director of Personnel

Did not go anywhere.

25 MAY 1956

84TH CONGRESS  
2D SESSION

# H. R. 11257

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## IN THE HOUSE OF REPRESENTATIVES

MAY 16, 1956

Mr. REES of Kansas introduced the following bill; which was referred to the Committee on Post Office and Civil Service

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## A BILL

To provide that certain compensation payable to certain officers and employees reinstated or restored to duty by administrative or court action shall be paid out of current appropriations for the department or agency concerned.

- 1       *Be it enacted by the Senate and House of Representa-*
- 2       *tives of the United States of America in Congress assembled,*
- 3       *That section 6 (b) of the Act of August 24, 1912 (5*
- 4       *U. S. C., sec. 652 (b)), is amended by adding at the end*
- 5       *thereof the following new paragraph:*
- 6        “(4) Whenever any person who is reinstated or re-
- 7        stored to duty by administrative action or by reason of a
- 8        judgment or other action of the United States Court of
- 9        Claims is entitled to be paid compensation pursuant to para-

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1 graph (1), (2), or (3) of this subsection, the entire  
2 amount of such compensation shall be paid, notwithstanding  
3 section 2517 of title 28 of the United States Code (relating  
4 to the payment of judgments of the Court of Claims), out  
5 of the appropriations currently available for the payment of  
6 salaries, compensation, and similar expenses of the depart-  
7 ment or agency concerned."

84TH CONGRESS  
2D SESSION **H. R. 11257**

**A BILL**

To provide that certain compensation payable  
to certain officers and employees reinstated  
or restored to duty by administrative or  
court action shall be paid out of current  
appropriations for the department or agency  
concerned.

By Mr. REES of Kansas

MAY 16, 1956

Referred to the Committee on Post Office and Civil  
Service